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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA,

Plaintiff,

v.

KIMBERLY WERKING (001),

and

JEFFREY SAYEGH (002),

Defendants.

Case No:

63 SGJ 86

INDICTMENT

CHARGING VIOLATIONS OF:

COUNTS 1 – 5 (001 & 002): FORGERY,
a Class 4 Felony, in violation of A.R.S. § 13-
2002(A)(3)

**COUNT 6 (001): ILLEGAL CONTROL
OF AN ENTERPRISE,** a Class 3 Felony,
in violation of A.R.S. § 13-2312(A)

**COUNT 7 (001 & 002): FRAUDULENT
SCHEMES AND ARTIFICES,** a Class 2
Felony, in violation of A.R.S. § 13-2310

**COUNT 8 (001 & 002): MONEY
LAUNDERING,** a Class 3 Felony, in
violation of A.R.S. § 13-2317

COUNTS 9 – 13 (001): THEFT, a Class 2
Felony, in violation of A.R.S. § 13-
1802(A)(3)

**COUNTS 14 – 18 (001): RESIDENTIAL
MORTGAGE FRAUD,** a Class 4 Felony,
in violation of A.R.S. § 13-2320

**COUNT 19 (001): RESIDENTIAL
MORTGAGE FRAUD**, a Class 2 Felony,
in violation of A.R.S. § 13-2320

The Arizona State Grand Jury accuses Defendants, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, charging on this 14th day of August, 2008 that in or from Maricopa County, Arizona:

COUNT 1

On or about June 26, 2006, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, with intent to defraud, offered or presented to Plaza Mortgage a loan application, a forged instrument or one which contained false information, in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 22503 North 39th Terrace, Phoenix, Arizona.

COUNT 2

On or about June 1, 2006, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, with intent to defraud, offered or presented to Countrywide Financial and Bear Stearns a loan application, a forged instrument or one which contained false information, in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home 17780 North 92nd Street, Scottsdale, Arizona.

COUNT 3

On or about March 12, 2007, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, with intent to defraud, offered or presented to IndyMac Bank a loan application, a

forged instrument or one which contained false information, in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home 18012 North 93rd Street, Scottsdale, Arizona.

COUNT 4

On or about October 24, 2006, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, with intent to defraud, offered or presented to Plaza Mortgage a loan application, a forged instrument or one which contained false information, in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home 9215 East Desert Arroyos, Scottsdale, Arizona.

COUNT 5

On or about December 27, 2006, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, with intent to defraud, offered or presented to Plaza Mortgage a loan application, a forged instrument or one which contained false information, in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home 17749 North 93rd Street, Scottsdale, Arizona.

COUNT 6

Between the approximate dates of November 1, 2005 and September 30, 2007, **KIMBERLY WERKING**, Defendant, through racketeering or its proceeds, knowingly acquired or maintained, by investment or otherwise, control of any enterprise, in violation of

A.R.S. §§13-2312(A), 13-2301(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 7

Between the approximate dates of November 1, 2005 and September 30, 2007, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, pursuant to scheme or artifice to defraud, knowingly obtained a benefit from The Carioca Company, Countrywide Financial, Bank of America, Avelo Mortgage, Plaza Home Mortgage, IndyMac Bank, Carnegie First Lending Service, and Preferred Home Mortgage by means of fraudulent pretenses, representation, promises, or material omissions, in violation of A.R.S. §§ 13-2310, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 8

Between the approximate dates of November 1, 2005 and September 30, 2007, **KIMBERLY WERKING** and **JEFFREY SAYEGH**, Defendants, acquired or maintained an interest in, transacted, transferred, transported, received or concealed the existence or nature of racketeering proceeds, knowing or having reason to know that the money was the proceeds of an offense, in violation of A.R.S. §§ 13-2317, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-702.01.

COUNT 9

On or about February 3, 2006, **KIMBERLY WERKING**, Defendant, knowingly obtained, by means of a material misrepresentation, a refinance payment from Plaza Mortgage, of a value of \$25,000 or more, with the intent to deprive Plaza Mortgage of such property or services, in violation of A.R.S. §§ 13-1802(A)(3), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said refinance payment occurred in conjunction with a home at 22503 North 39th Terrace, Phoenix, Arizona and was in the amount of \$205, 841.

COUNT 10

On or about August 11, 2006, **KIMBERLY WERKING**, Defendant, knowingly obtained, by means of a material misrepresentation, a refinance payment from Bear Stearns, of a value of \$25,000 or more, with the intent to deprive Bear Stearns of such property or services, in violation of A.R.S. §§ 13-1802(A)(3), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said refinance payment occurred in conjunction with a home at 17780 North 92nd Street, Scottsdale, Arizona and was in the amount of \$213,523.

COUNT 11

On or about March 12, 2007, **KIMBERLY WERKING**, Defendant, knowingly obtained, by means of a material misrepresentation, a refinance payment from IndyMac Bank, of a value of \$25,000 or more, with the intent to deprive IndyMac Bank of such property or services, in violation of A.R.S. §§ 13-1802(A)(3), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said refinance payment occurred in conjunction with a home at 18012 North 93rd Street, Scottsdale, Arizona and was in the amount of \$165,213.

COUNT 12

On or about November 8, 2006, **KIMBERLY WERKING**, Defendant, knowingly obtained, by means of a material misrepresentation, a refinance payment from Plaza Mortgage, of a value of \$25,000 or more, with the intent to deprive Plaza Mortgage of such property or

services, in violation of A.R.S. §§ 13-1802(A)(3), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said refinance payment occurred in conjunction with a home at 9215 East Desert Arroyos, Scottsdale, Arizona and was in the amount of \$182, 680.

COUNT 13

On or about December 26, 2006, **KIMBERLY WERKING**, Defendant, knowingly obtained, by means of a material misrepresentation, a refinance payment from Plaza Mortgage, of a value of \$25,000 or more, with the intent to deprive Plaza Mortgage of such property or services, in violation of A.R.S. §§ 13-1802(A)(3), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said refinance payment occurred in conjunction with a home at 17749 North 93rd Street, Scottsdale, Arizona and was in the amount of \$105, 083.

COUNT 14

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, obtained proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 17780 North 92nd Street, Scottsdale, Arizona.

COUNT 15

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, obtained proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to

know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 18012 North 93rd Street, Scottsdale, Arizona.

COUNT 16

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, obtained proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 9215 East Desert Arroyos, Scottsdale, Arizona.

COUNT 17

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, obtained proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 17749 North 93rd Street, Scottsdale, Arizona.

COUNT 18

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, obtained proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Said conduct occurred in conjunction with a home at 17724 North 93rd Street, Scottsdale, Arizona.

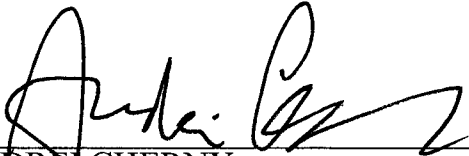
COUNT 19

On or about August 14, 2007, **KIMBERLY WERKING**, Defendant, engaged in a pattern of obtaining proceeds or other monies in connection with a residential mortgage loan, knowing or having reason to know that the money resulted from a deliberate misstatement, misrepresentation or material omission during the mortgage lending process, in violation of A.R.S. §§ 13-2320, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

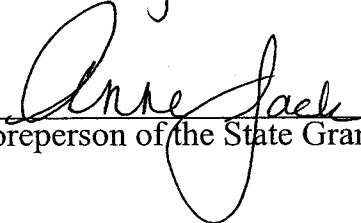
Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in Maricopa County, Arizona.

True Bill
(A "True Bill")

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STATE OF ARIZONA



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PHX-#260766-v1

Dated: August 14, 2008


Foreperson of the State Grand Jury